

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALESSANDRA JULIETTA ROVITO,

Plaintiff,

v.

MATHER DEPARTMENT OF  
VETERANS AFFAIRS MEDICAL  
CENTER,

Defendant.

No. 2:22-cv-00529-DAD-JDP (PS)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION

(Doc. No. 11)

Plaintiff Alessandra Julietta Rovito is proceeding *pro se* in this civil action, which defendant removed to this federal court on March 22, 2022. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 15, 2023, the court granted defendant's motion to dismiss plaintiff's complaint, with leave to amend, due to plaintiff's failure to allege that this court has subject matter jurisdiction. (Doc. No. 10.) Having found that "an amended complaint could conceivably correct the shortcomings," (Doc. No. 9 at 3), the court granted plaintiff leave to file a first amended complaint within thirty (30) days from the date of that order. (Doc. No. 10 at 2.) Plaintiff was warned, however, that "her failure to file a first amended complaint within the time provided will

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1 result in the dismissal of this action.” (*Id.*) That deadline has now passed, and plaintiff has not  
2 filed an amended complaint or otherwise communicated with the court.

3 Consequently, on April 24, 2023, the assigned magistrate judge issued findings and  
4 recommendations recommending that this action be dismissed due to a lack of subject matter  
5 jurisdiction. (Doc. No. 11.) Those findings and recommendations were served on the parties and  
6 contained notice that any objections thereto were to be filed within fourteen (14) days after  
7 service. (*Id.* at 2.) To date, no objections to the findings and recommendations have been filed,  
8 and the time in which to do so has now passed.

9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
10 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
11 findings and recommendations are supported by the record and by proper analysis.

12 Accordingly:

- 13 1. The findings and recommendations issued on April 24, 2023 (Doc. No. 11) are  
14 adopted in full;
- 15 2. This action is dismissed; and
- 16 3. The Clerk of the Court is directed to close this case.

17 IT IS SO ORDERED.

18 Dated: June 15, 2023

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UNITED STATES DISTRICT JUDGE